

Image

Rce 1637  
#



PATENT

Attorney Docket No.: 056297-5009A-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Stephen FODOR et al.

Confirmation No.: 3913

Application No.: 09/776,768

Group Art Unit: 1637

Filed: February 6, 2001

Examiner: Siew, J.

For: IDENTIFYING A BASE IN A NUCLEIC ACID

MAIL STOP RCE

Commissioner for Patents

U.S. Patent and Trademark Office

2011 South Clark Place

Customer Window

Crystal Plaza Two, Lobby, Room 1B03

Arlington, VA 22202

Sir:

**REQUEST FOR CONTINUED  
EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted:
- i. ☒ Please enter and consider the Response under 37 C.F.R. § 1.116 previously filed on October 29, 2003.
- ii. ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- iii. ☐ other \_\_\_\_\_
- b. ☐ Enclosed:
- i. ☐ Supplemental Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement
- iv. ☐ Form 1449
- v. ☐ 17 references cited on Form 1449

01/30/2004 YPOLITE1 00000060 500310 09776768

01 FC:1801  
02 FC:1253

770.00 DA  
950.00 DA

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_.

## 3. Fees Calculation

- a. RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$770.00
- ☐ \$385.00 (for small entity)

- b. Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	21	minus	24	0	x \$18 each =	+ \$
Independent Claims (37 C.F.R. §1.16(b))	1	minus	4	0	x \$86 each =	+ \$
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$290.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$

## c. Extension of Time

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input checked="" type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

The extension of time fee for this request: \$950.00

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

- ☒ The Director is hereby authorized to charge the Deposit Account No. 50-0310 in the total amount of **\$1,720.00**, which includes the RCE filing fee of \$770.00 and the extension fee of \$950.00.
- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN LEWIS & BOCKIUS LLP**

By:



**Bonnie Weiss McLeod**

Reg. No. 43,255

Dated: January 29, 2003

Customer No. 009629  
MORGAN LEWIS & BOCKIUS LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202-739-3000 (phone)  
202-739-3001 (fax)